



GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

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April 11, 2008

TO: ALL INTERESTED PARTIES

SUBJECT: REQUEST FOR PROPOSALS - RAPE CRISIS PROGRAM
Merced and Mariposa Counties

Through the release of this Rape Crisis Program Request for Proposals (RFP), the Governor's Office of Emergency Services (OES) is soliciting proposals for the establishment and operation of a Rape Crisis Center in Merced County or Mariposa County.

The service area of the successful applicant will comprise of Merced and Mariposa Counties.

One applicant will be selected for Rape Crisis Program funding for FY 2008/09. It is anticipated that this decision will be made at the June 6, 2008 meeting of the State Advisory Committee on Sexual Assault Victim Services (SAC) held in Sacramento. The grant award amount for this period is listed in Part I, Item E. Thereafter, continuation funding will be non-competitive and contingent upon satisfactory performance and subject to availability of funds.

Eligible applicants must be a community-based or governmental victim service organization located in Merced or Mariposa Counties, or one of the immediate adjacent counties (Stanislaus, Tuolumne, Madera, Santa Clara, San Benito, or Fresno). The successful applicant must establish a business and counseling office in the designated geographic area, even if currently operating an agency in a different location.

Proposals are due by **5:00 p.m. on May 23, 2008**. Delivery options are listed in Part I, Section C, page 1 of this RFP. Questions regarding this RFP should be sent to Deena Mount, Senior Program Specialist, at Deena.mount@oes.ca.gov or by fax to (916) 327-5674.

Sincerely,

Linda Bowen, Chief
Sexual Assault Section

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**RAPE CRISIS PROGRAM – MERCED AND MARIPOSA COUNTIES
COMPETITIVE REQUEST FOR PROPOSAL**

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- IV. **FORMS** -Click on one of the form links below to access the form. Save the form to your hard drive before you attempt to fill it out. To access the complete list of forms on our website click on **or** go to www.oes.ca.gov and select “Forms”, **or** paste the following link into your browser: **www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome?OpenForm**

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[GRANT AWARD FACE SHEET AND INSTRUCTIONS](#)

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**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**RAPE CRISIS PROGRAM – MERCED AND MARIPOSA COUNTIES
COMPETITIVE REQUEST FOR PROPOSAL**

PART I – INFORMATION

A. INTRODUCTION

This Request for Proposal (RFP) provides the information and forms necessary to prepare a proposal for the Governor's Office of Emergency Services (OES) grant funds. The terms and conditions of this RFP supersede all previous RFPs and any conflicting provisions stated in the *Recipient Handbook*. The *Recipient Handbook* provides helpful information for developing the proposal and can be accessed at the website, www.oes.ca.gov, by selecting "Recipient Handbooks."

B. CONTACT INFORMATION

Questions concerning this RFP, the application process, or programmatic issues should be submitted to Deena Mount, at Deena.mount@oes.ca.gov or by fax to 916-327-5674.

OES staff cannot assist the applicant with the actual preparation of its proposal. During the period of time between the publication date of the RFP and the date the competitive proposal is due, OES can only respond to technical questions about the RFP submitted by fax or e-mail.

C. PROPOSAL DUE DATE AND SUBMISSION OPTIONS

One original and three copies of the proposal must be delivered to OES' Law Enforcement and Victim Services Division by the date and time indicated below. ***A late proposal will be deemed ineligible for funding.*** Submission options are:

1. Regular or overnight mail, **postmarked by May 23, 2008**, to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Rape Crisis Program, Sexual Assault Unit

2. Hand delivered by **5:00 p.m. on May 23, 2008** to:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Rape Crisis Program, Sexual Assault Unit

D. ELIGIBILITY

Eligible applicants must be community-based or governmental victim service organizations located in Merced or Mariposa Counties or a county immediate adjacent to the designated service area (Stanislaus, Tuolumne, Madera, Santa Clara, San Benito, or Fresno). Community-Based Organizations (CBO) must be active California nonprofit corporations in good standing. The Application Appendix must include a copy of the most recently filed version of **one** of the following forms:

- IRS Form 990;
- State of California, Franchise Tax Board Form 199; or
- State of California, Board of Charitable Trusts Form CT2

Geographic Area to be served:

The service area is Merced and Mariposa Counties. ***The successful applicant must establish a business and counseling office in the designated geographic area, even if currently operating an agency in a different location.***

E. FUNDS

Award Amount and Grant Period:

The grant recipient will provide services from July 1, 2008 through June 30, 2009 with a grant award of \$202,280 as follows:

Rape Crisis Program – Victim Witness (state)	Victims of Crime Act (VOCA)	VOCA Match	Total
\$52,160	\$120,096	\$30,024	\$202,280

Anticipated future funding is based on fund availability and successful performance. Federal Victims of Crime Act and State Penalty Assessment Funds support this project.

F. PROGRAM INFORMATION

1. Program Guidelines

The Service Standards for the Operation of Rape Crisis Centers ([Attachment B](#)), hereinafter referred to as Service Standards, must be adhered to by all OES funded rape crisis centers. The service components and standards discussed in the Service Standards are central to the operation of rape crisis centers, whose mission is to be responsive to the rights and needs of sexual assault victims. The Service Standards should be reviewed thoroughly in order to fully understand and prepare an application that is responsive to this RFP. **Note:** The link to this document is at the beginning of this paragraph.

2. Americans with Disabilities Act

Applicants must be in compliance with the Americans with Disabilities Act (ADA) of 1990, 42 U.S.C. 12101, *et seq.* and Title 28 of the Code of Federal Regulations, part 35. The applicant shall operate so that each service is accessible to and usable by individuals with disabilities. Applicants may comply with the requirements of this section through such means as redesign of equipment, reassignment of services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of services at alternative accessible sites, alteration of existing facilities and construction of new facilities, use of accessible rolling stock or other conveyances, or any other methods that result in making its services, programs, or activities readily accessible to and usable by individuals with disabilities.

Applicants must ensure that communication with individuals with disabilities is as effective as communication with others without disabilities. This includes the use of telecommunications systems for communications by telephone. Applicants must also ensure that individuals with impaired vision or hearing can obtain information as to the existence and location of accessible services, activities, and facilities, as well as provide appropriate signage. This includes all written materials (i.e. brochures, applications, consents, videos, etc.).

Applicants must ensure that all aspects of employment comply with ADA, including the application process (recruitment, hiring) and employment tasks.

3. Source and Use of Funds - State and federal funds available for FY 2008/09 are as follows:

a. State Penalty Assessment Funds

The Penalty Assessment Funds are based on penalties levied against persons convicted of state crimes. These funds may be used to support all activities required in this RFP and the Service Standards. Reasonable administrative expenses that appropriately support these services are allowable.

b. Federal Victims of Crime Act (VOCA)

The VOCA grant program is authorized by the Victims of Crime Act of 1984, as amended, 42 U.S.C. 10601, *et seq.* VOCA authorizes federal financial assistance to states for the purpose of compensating and assisting victims of crime, providing funds for training and technical assistance, and assisting victims of federal crimes. The following guidelines apply to VOCA funds:

- Funds may be used for organizational memberships in no more than three national or state criminal justice or victims' organizations per year.
- Funds are restricted to the provision of direct services for crime victims.
- Funds may be used for administrative costs supporting direct client services, e.g. data collection.
- Funds may be used for air conditioning equipment offering climate comfort for clients.
- Funds may NOT be used for indirect costs, which must be computed using the rate specified in the Grant Recipient Handbook, Section 2220, and must be paid with other fund sources.

- Funds may NOT support services and activities to incarcerated individuals even when the service pertains to the victimization of that individual.
- Funds may be used for costs related to conducting community and school presentations when the primary purpose of the presentation is to identify crime victims and provide, or refer, victims to needed services (e.g., salaries, materials, brochures and newspaper notices). Funds may not be used for any rape prevention activities.
- Applicants must use volunteers unless there is a compelling reason to waive this requirement.
- Applicants must not charge crime victims for services under the RCC Program.
- Applicants must help victims apply for compensation benefits. Such assistance may include identifying and notifying crime victims of the availability of compensations, assisting them with application forms and procedures, obtaining necessary documentation, and/or checking on claim status. To that end, applicants must collaborate with their local victim/witness agency, and provide a Memorandum of Understanding (MOU) between the applicant and the local victim/witness agency.
- Applicants must promote coordinated public/private efforts to aid crime victims (participate on state/federal/local task forces, commissions, working groups, coalitions, etc.), and develop written agreements contributing to better services for crime victims. These types of activities benefit crime victims and **must be undertaken by victim service organizations in order to be eligible to receive VOCA funds**. Therefore, **these types of activities may not be supported with VOCA funds**, which are restricted in their use to provision of direct victim services.
- Applicants must comply with the National Historic Preservation Act (16 U.S.C., Section 470, et seq., as amended), which states prior to use of grant funds to renovate, alter, or otherwise improve the exterior or interior of a building, applicants must notify OES for approval. Applicants must also maintain records establishing all proposed renovation work.
- Applicants must complete the Certification Regarding Environmental Tobacco Smoke Public Law 103-227, Part C - Environmental Tobacco Smoke, also known as the Pro Children Act of 1994 (Act). This Act requires that smoking not be permitted in any portion of any indoor routinely owned or leased or contracted for by an entity and used routinely or regularly for provision of health, day care, education, or library services to children under the age of 18, if the services are funded by Federal programs either directly or through State or local governments, by Federal grant, contract, loan, or loan guarantee. The law does not apply to children's services provided in private residences, facilities funded solely by Medicare or Medicaid funds, and portions of facilities used for inpatient drug and alcohol treatment. Failure to comply with the provisions of the law may result in the imposition of a civil monetary penalty of up to \$1,000 per day and or the imposition of an administrative compliance order on the responsible entity.
- Original publications (written, visual or sound) produced in whole or in part with VOCA funds must contain the following statement:

Funding is made possible through the United States Department of Justice, Victims of Crime Act, 2002-VA-GX-4006.

By signing and submitting this proposal the applicant/grantee certifies that it will comply with the requirements of the Act. The applicant/grantee further agrees that it will require the language in this certification be included in any sub-awards which contain provisions for the sexual assault services and that all sub-grantees shall certify accordingly.

4. Closure of Rape Crisis Center During Holidays and Emergency Closure

To be exempted from the statutory requirement that Rape Crisis Center business offices be open during regular business hours, projects must submit a written request for approval to their OES program specialist two weeks prior to a requested closure:

- dates and times the office will be closed;
- confirmation that the Crisis Line will remain covered 24-hours per day;
- confirmation that appropriate signage will be posted on the business office door in the predominate languages of the service area indicating the dates the office will be closed; when it will reopen; and the telephone number to call for immediate assistance; and
- a brief description of how services, (e.g., accompaniment, advocacy, information and referral, and any support groups that are being cancelled) will be provided.

G. PREPARING A PROPOSAL

Part IV - Forms includes a link to a Proposal Cover Sheet. Please complete the proposal Cover Sheet and attach it to the front of your proposal.

The following 8 components are required for a complete proposal:

- Proposal Cover Sheet;
- Grant Award Face Sheet (OES A301);
- Project Contact Information;
- Certification of Assurance of Compliance - VOCA;
- Signature Authorization and Instructions;
- Project Narrative;
- Budget Narrative and the Project Budget (OES A303a-c); and
- Proposal Appendix (*refer to Part II, C.*).

NOTE: Failure to include the required components may result in a reduced score or disqualification. OES will *not* advise the applicant the proposal is incomplete prior to rating or disqualification.

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**RAPE CRISIS PROGRAM – MERCED AND MARIPOSA COUNTIES
COMPETITIVE REQUEST FOR PROPOSAL**

PART II – INSTRUCTIONS

The instructions in this section correspond to each of the proposal components and to the forms required to complete the proposal.

The applicant must use the forms provided in this RFP and plain 8½" x 11" white paper for the proposal. The blank Project and Budget Narrative pages on the website have been pre-formatted to OES standards. If you create your own computer-generated Project and Budget pages, the format must duplicate the OES pre-formatted pages and not allow the applicant more space than provided on the OES forms. The applicant must ensure information requested by the RFP instructions is included in the appropriate section of the proposal to receive credit. If a space limitation is specified for a component, strict adherence to the space limitation is required to avoid a reduction in the proposal's score.

Copies of the proposal must be assembled separately and individually fastened in the upper left corner.
Do not bind proposal.

Failure to comply with these spacing/formatting requirements is one of the factors which may negatively impact the applicant's comprehensive assessment score.

A. PROJECT NARRATIVE

The project narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the applicant to implement the proposed plan.

- a) The top of each page must contain the appropriate section heading.
 - b) Applicant must fully answer each question and must provide an explanation if a question or portion of a question is not applicable. Applicant should provide details where necessary. Do not cross-reference another section of the proposal as the sole response to a question; answer the question within the space allowed even if the question has already been answered somewhere else in the application.
- 1. **Problem Statement** (Limit three double-spaced pages)
 - a. **Problem**
 - 1) Provide a thorough description of the nature and degree of the problem of sexual assault in the designated service area that will be addressed by the project. Support the problem statement with statistical information from the service area including, at a minimum, population data (including ethnic composition) and sexual assault crime data reported to local law enforcement agencies, medical

treatment facilities, and other sources. Do not include generic information on Rape Trauma Syndrome or the effects of sexual assault on victims.

- 2) Describe the extent of your agency's experience providing relevant services to ethnic and other population groups that are comparable to those in this RFP's service area.
- 3) Include your past three year's of relevant service provision data, including type(s) of service, to comparable ethnic and other population groups to support the response to item 2) above.

b. Project Service Area Information Form (Table of Contents - Part IV)

Complete the form and include in the Proposal Appendix.

c. Project Summary Form (Table of Contents – Part IV)

Complete the form and include in the Proposal Appendix.

d. Project Contact Information Form (Table of Contents – Part IV)

Complete the form and include in the Proposal Appendix.

2. Plan and Implementation (A total of 5 double-spaced pages may be used for sections a.–c.)

This section details the applicant's plan to address the problem. Responses must conform to the requirements delineated in this RFP, including attachments. NOTE: The term "staff" refers to both paid employees and volunteers; responses must be reflective of both groups when applicable.

a. Services

1) 24-Hour Crisis Line

Describe how the 24-hour crisis line will be operated, including what staff will answer the line during business and non-business hours, and back-up procedures to ensure coverage if staff is temporarily away from the line or absent during their assigned shift.

2) Crisis Intervention Services

Describe how this service will be provided, including response time; staff training, training manual content, and supervision of trained staff.

3) Follow-Up Counseling Services

Describe how this service will be provided, who receives the service and when, and who provides this service.

4) In-Person Counseling Services

Describe how this service will be provided, methods used to provide this service, who receives the service and when, and who provides this service.

5) Accompaniment Services

Describe how this service will be provided, who receives the service and when, and who provides this service. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? If Accompaniment Services are referred out, an Operational Agreement must be included in the proposal Appendix. Operational Agreements must contain applicable elements delineated in Recipient Handbook Section 4300. A sample Operational Agreement is provided in this RFP's Proposal Appendix section.

6) Advocacy Services

Describe how this service will be provided, who receives the service and when, and who provides the service. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? If Advocacy Services are referred out, an Operational Agreement must be included in the Proposal Appendix. Operational Agreements must contain applicable elements delineated in Recipient Handbook Section 4300. A sample Operational Agreement is provided in this RFP's Proposal Appendix section.

7) Community Education Programs

Describe the approach to raise awareness of sexual assault in the service area, outreach efforts toward special populations (e.g., minorities, elderly, children, adolescents, mentally and/or physically disabled), and the training received by Community Education staff.

8) Multi-Disciplinary SART Meetings

Describe how this service will be provided, what disciplines will attend the meeting in the service area and who from your agency will attend the meetings. In addition, describe whether your agency has developed relationships with the SART multidisciplinary agencies in the designated service area.

b. Agency Administration

1) History

Describe the agency's mission and purpose.

2) Client Confidentiality

Discuss the purpose of sexual assault victim confidentiality, the process used to ensure protection of sexual assault victim confidentiality, and indicate how staff are informed of statutory confidentiality requirements.

c. Agency Coordination

Describe efforts to coordinate service delivery with each of the following: law enforcement agencies, district attorney's office; medical service providers; social service providers; mental health providers; and the County Victim/Witness Assistance project. Include information regarding cross training, participation on joint committees/task forces, etc.

Include an Operational Agreement in the Proposal Appendix for the current grant year with the above-mentioned agencies. Operational Agreements must contain applicable elements delineated in Recipient Handbook Section 4300. Operational Agreements may be established for a maximum of three years.

d. Objectives and Activities

The seven (7) mandatory Objectives, and the required format, are provided in Appendix B. Use a separate page for each Objective. Activities must describe the steps to be taken to achieve the Objective, indicate the anticipated time frame for completion, and specify the staff position responsible for completing the Activity. For each Objective, enter the projected number to be served from July 1, 2008 through June 30, 2009.

e. Organizational Chart

The Application Appendix must contain a **current** organizational chart. It must show the relationships between the governing body, the organization, the project, the project staff, the project volunteers and the lines of supervision. Job titles on the organizational chart must match those in the Budget and in the Budget Narrative.

B. PROJECT BUDGET

The purpose of the project budget is to demonstrate how the applicant will implement the proposed plan with the funds available through this program. The budget is the basis for management, fiscal review, and audit. Project costs must be directly related to the objectives and activities of the project. The budget must cover the entire grant period. In the budget, include **only** those items covered by grant funds including match funds when applicable. Projects may supplement grant funds with funds from other sources. However, since approved line items are subject to audit, applicant should not include in the project budget matching funds (if applicable) in excess of the required match. Budgets are subject to OES modifications and approval.

OES requires the applicant to develop a **line item** budget which will enable the project to meet the intent and requirements of the program and ensure the successful and cost effective implementation of the project. The applicant should prepare a realistic and prudent budget avoiding unnecessary or unusual expenditures which detract from the accomplishment of the objectives and activities of the project. The following information is provided to assist in the preparation of the budget. Strict adherence to required and prohibited items is expected. **Where the applicant does not budget for a required item, the applicant assumes responsibility.** Failure of the applicant to include required budget items does not eliminate responsibility to comply with those requirements during the implementation of the project. The applicant should refer to the *Recipient Handbook* at www.oes.ca.gov by selecting: "Recipient Handbooks" for additional information concerning OES budget policy or to determine if specific proposed expenses are allowable. Contact the person listed on page 1-subsection B of this RFP if you have additional budget questions.

A match (cash or in-kind) of \$30,024 is required for the VOCA funds in this grant award. All funds designated as match are restricted to the same uses as the VOCA funds. If volunteer services are used to meet this requirement, the services provided by the volunteers must be VOCA allowable (see Part I, F. 3). A volunteer match budget line item must indicate the specific volunteer duties **and** a rate of pay calculation which may not exceed that of paid staff performing similar duties. The agency must maintain volunteer documentation as part of its accounting records that include: duty statements; justification for the assigned volunteer pay rate; and forms signed by the volunteer and the volunteer's supervisor verifying actual time worked by each volunteer.

1. **Budget Narrative**

The applicant is required to submit a typed narrative with the project budget. This must be placed in the proposal in front of the budget pages. In the narrative describe:

- How the project's proposed budget supports the objectives and activities.
- How funds are allocated to minimize administrative costs and support direct services.
- The duties of project-funded staff. This does not take the place of the brief justification required in the line item budget.
- How project-funded staff duties and time commitments support the proposed objectives and activities.
- Proposed staff commitment/percentage of time to other efforts, in addition the time allocated to this project.
- The necessity for consultants and unusual expenditures.

2. **Specific Budget Categories**

There is an Excel Workbook included in this RFP, accessed through the Table of Contents, with spreadsheets for each of the following three budget categories:

- Personal Services – Employee Salaries/Benefits;
- Operating Expenses; and
- Equipment.

The left column of each budget category on the Spreadsheet requires line item detail including the calculation and justification for the expense. Enter the amount of each line item and match in the correct column of the Budget Category form. The spreadsheet will add each addition and round off the nearest whole dollar. You may add extra rows if necessary, the spreadsheets total at the end of each budget category and total the three spreadsheets at the bottom of the last page (Equipment). The total of the budget including each funding source and/or match amount must correspond to the amount of the Total Project Cost (Block 10G) on the Grant Award Face Sheet.

The bottom of the Equipment Category form contains a format for identifying the project total and fund distribution. This section must be completed and submitted even if there are no line items identified in the equipment category.

a. Personal Services – Salaries/Employee Benefits (OES A303a)

1) Salaries

Personal services include services performed by project staff directly employed by the applicant and must be identified separately by position and percentage of salaries. They may be salaried or hourly, full-time or part-time positions. Sick leave, vacation, holidays, overtime, and shift differentials must be budgeted as salaries. If the applicant's personnel have accrued sick leave or vacation time prior to the approval of grant funding, they may not take time off using project funds.

2) Benefits

Employee benefits must be identified by type and percentage of salaries. The applicant may use fixed percentages of salaries to calculate benefits. Budgeted benefits cannot exceed those already established by the applicant.

Employer contributions or expenses for social security, employee life and health insurance plans, unemployment insurance, and/or pension plans are allowable budget items. Benefits, such as uniforms or California Bar Association dues are allowable budget items if negotiated as a part of an employee benefit package.

A line item is required for each different position/classification, but not for each individual employee. If several people will be employed full-time or part-time in the same position/classification, provide the number of full-time equivalents (e.g., three half-time clerical personnel should be itemized as 1.5 clerical positions).

b. Operating Expenses (OES A303b)

Operating expenses are defined as necessary expenditures other than personal salaries, benefits and equipment. Such expenses may include specific items directly charged to the project, and in some cases, when permitted by the funding source, an indirect cost allowance. The expenses must be grant-related (e.g., to further the program objectives as defined in the grant award) and be encumbered during the grant period.

The following items fall within this category: consultant services such as subcontractors, participating staff who are not employed by the applicant, travel, office supplies, training materials, research forms, equipment maintenance, software equipment rental/lease, telephone, postage, printing, facility rental, vehicle maintenance, answering service fees and other consumable items. Furniture and office equipment with an acquisition cost of less than \$5000 (including tax, installation, and freight) and/or with a useful life of less than one year fall within this category. Otherwise, these fall under equipment expenses.

Consultant line items must include hourly wage, number of hours to be paid, and services to be performed per *Recipient Handbook* Sections 3710.

c. Equipment (OES A303c)

Equipment is defined as nonexpendable tangible personal property having **a useful life of more than one year** and an acquisition cost of \$5000 or more per unit (including tax, installation, and freight). A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers must be one line item, not three).

C. PROPOSAL APPENDIX

The proposal appendix provides OES with additional information from the applicant to support components of the proposal. The following must be included:

1. Organizational Chart – Job titles on the Organizational Chart must match those in the Budget and the Budget Narrative. The Organizational Chart must clearly depict:
 - the structure of the applicant organization;
 - the specific unit within the organization responsible for this project's implementation;
 - supporting units within the organization (e.g., the Accounting Unit); and
 - the lines of authority within the organization.
2. Project Summary
3. Project Service Area Information
4. Noncompetitive Bid Request, if applicable
5. Emergency Fund Procedures, if applicable
6. Computer and Automated Systems Purchase Justification Guidelines, if applicable.

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**RAPE CRISIS PROGRAM – MERCED AND MARIPOSA COUNTIES
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PART III – ADDITIONAL INFORMATION

The applicant is strongly encouraged to review the following sections in preparing the proposal:

- A. Selection of Proposal for Funding
- B. Finalizing the Grant Award Agreement
- C. Administrative Requirements
- D. Budget Policy
- E. Glossary of Terms
- F. Rating Form (applicant is encouraged to review prior to submission of the proposal)
- G. Summary of Past Performance Policy

A. SELECTION OF PROPOSAL FOR FUNDING

1. Proposal Rating

Eligible proposals received by the deadline are generally rated by a three member team. The rater's scores are averaged and then ranked numerically. The Rating Form used for this process is included in this section and is for informational purposes only.

2. Funding Recommendation

Final funding decisions for the Rape Crisis Program are made by the State Advisory Committee on Sexual Assault Victim Services. Funding recommendations are based on the following:

- the ranked score of the proposal; and
- prior negative administrative and programmatic performance, if applicable.

Projects previously funded by OES will be reviewed for poor past compliance, including fiscal management, progress and annual reports, audit reports, and other relevant documentation or information. This review may result in one or more of the following actions: a) the project may not be selected for funding; b) the amount of funding may be reduced; or c) grant award conditions may be placed in the Grant Award Agreement. See the attached Past Performance Policy for details.

3. Notification Process

Applicants will be notified in writing of the results of the rating process. Applicants not selected for funding will receive a denial letter containing their average score and information on the appeal process.

B. FINALIZING THE GRANT AWARD AGREEMENT

1. Standard Project Funding Authority

Allocation of funds is contingent on the enactment of the State Budget. OES does not have the authority to disburse funds until the budget is passed and the Grant Award Agreement is fully executed. Expenditures incurred prior to authorization are made at the project's own risk and may be disallowed. When the executed grant is received, and the State Budget is finalized, authorized expenditure reports may be submitted for reimbursement of expenditures incurred subsequent to the effective date of the grant award agreement.

If, during the term of the grant award, the state and/or federal funds appropriated for the purposes of the grant award are reduced or eliminated by the California Legislature or the United States Government, or in the event revenues are not collected at the level appropriated, OES may immediately terminate or reduce the grant award by written notice to the recipient. However, no such termination or reduction shall apply to allowable costs already incurred by the recipient to the extent state or federal funds are available for payment of such costs.

OES Grant Award Agreements are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature and/or the United States Government, subsequent to execution of the Grant Award Agreement.

2. Processing Grant Awards

a. Grant Award Conditions

OES may add grant award conditions to the Grant Award Agreement prior to or after funding. If conditions are added, these will be discussed with the applicant and a copy of the conditions will be sent to the grant recipient when the conditions are made part of the Grant Award Agreement. Grant award conditions may include requirements for sole source justification, a computer feasibility study, or other requirements deemed necessary by OES.

b. Grant Award Agreement

A copy of the executed Grant Award Agreement and pertinent attachments will be sent to the Project Director. The applicant is not authorized to incur costs against the grant until a copy of the fully executed Grant Award Agreement is received. When the executed grant is received, the Report of Expenditures and Request for Funds (OES 201) may be submitted for reimbursement.

c. Grant Award Amounts

When the amount of funds available is limited, OES may reduce the amount of the grant award from the amount requested by the applicant. In addition, OES reserves the right to negotiate budgetary changes with the applicant prior to executing the Grant Award Agreement. If either of these actions is required, OES will notify the applicant prior to executing the Grant Award Agreement.

C. ADMINISTRATIVE REQUIREMENTS

The following requirements apply to projects selected for funding and are provided for the recipient's planning purposes.

The Recipient Handbook (RH)

The *Recipient Handbook* is accessible on the OES Internet website at www.oes.ca.gov by selecting "*Recipient Handbooks*." The *Recipient Handbook* contains administrative information and requirements necessary to implement the project. Recipients must administer their grants in accordance with the *Recipient Handbook* requirements. Failure to comply with these requirements can result in the withholding grant funds or termination of the grant award.

The information below may be cross referenced with the *Recipient Handbook* by referencing the handbook section (RH) number.

1. Internet Access (RH 11500)

Funded projects are required to maintain Internet access with an established e-mail address. Grant funds may be used for this purpose unless specifically prohibited by the RFP instructions.

2. Progress Reports and Data Collection (RH 10100)

Funded projects are required to participate in data collection and to submit progress reports required by the program. Projects are required to keep accurate records to document the information reported in the progress reports. The records must be kept by the project for a period of three years. During site/monitoring visits, OES will review these records for accuracy and compare them with the reported data submitted on the progress reports.

3. Monthly/Quarterly Report of Expenditures and Request for Funds (RH 6300)

Community-based organizations shall submit a monthly Report of Expenditures and Request for Funds (OES 201) unless they request a quarterly reporting period. Government and education agencies receiving funds will be required to report on a quarterly basis. This form is due within 30 calendar days of the end of the reporting period and must be submitted whether or not the project has incurred expenses. Delays in submitting the form OES 201 will result in the withholding of funds and may result in the recommendation to OES' Executive Director for termination of the grant award.

4. Technical Assistance/Site Visits (RH 10300)

Funded projects are assigned an OES program specialist to oversee the progress of the project in achieving its goals, objectives and compliance with the Grant Award Agreement. Program specialists are available to assist the project in the successful implementation of the project and in meeting the administrative requirements of the Grant Award Agreement. New projects should expect a site visit from the assigned program specialist within the first six months of the grant period. Follow-up site visits will be conducted periodically throughout the life of the grant. Projects may request a site visit to obtain technical assistance.

5. **Monitoring Requirements (RH 10400)**

A monitoring visit is an onsite assessment by OES staff to determine if the project is in compliance with the terms of the program, the Grant Award Agreement, the Program Guidelines, the RFA/RFP, and the *Recipient Handbook*. Projects will be monitored on a random or as-needed basis.

6. **Bonding Requirements (RH 2160)**

Private community-based organizations and American Indian organizations are required to obtain and send to OES a notarized copy of a blanket fidelity bond or equivalent insurance contract applicable to officials and employees of OES-funded projects within 60 days of the signed Grant Award Agreement. Failure to comply with this requirement may result in the withholding of grant funds or termination of the Grant Award Agreement. The beneficiary named on the bond or an endorsement must include the "State of California, Governor's Office of Emergency Services" and include the Grant Award number for identification purposes.

The time period covered by the bond must include the effective date and total time period of the grant, including extensions. The bond must be in an amount equal to 50 percent (50%) of the total grant award and may have a deductible in an amount not to exceed one percent (1%) of the bond.

A bond is not required of a recipient sponsored by units of government. CBOs sponsored by units of government may submit documentation indicating this in lieu of the bond or insurance contract, unless specifically required terms of the program or grant award conditions.

7. **Audit Requirements (RH 8100)**

Recipients must arrange for an independent audit of the grant award and may budget a portion of the audit costs. Instructions for budgeting funds for audit costs are outlined in the *RH* Section 2234.

8. **Copyrights, Rights in Data, and Patents (RH 5300)**

OES owns rights of and reserves a royalty-free, nonexclusive, and irrevocable license to reproduce, publish, and use, in whole or in part, material produced by activities supported by a Grant Award Agreement. These ownership rights are detailed in the *Recipient Handbook*.

9. **Source Documentation (RH 10111)**

Recipients will be required to maintain source documentation to support claimed expenditures and project accomplishments. Source documentation is defined as records used to validate project activities and achievements pertaining to the objectives outlined in the Grant Award Agreement. Recipients are to retain source documentation for progress reports on a quarterly basis, regardless of submission requirements. Requirements and definitions for program specific source documentation are delineated in the RFP instructions. Recipients will be required to have written job descriptions on file for positions funded by OES detailing specific grant-related activities to achieve project objectives.

D. **BUDGET POLICY**

This document summarizes information on OES Budget Policy contained in the *Recipient Handbook*. Additional information may be obtained by accessing the *Recipient Handbook* at www.oes.ca.gov by selecting “*Recipient Handbooks*.”

1. **Supplanting Prohibited (RH 1313)**

Grant funds must be used to supplement existing funds for program activities and **not replace** funds appropriated for the same purpose. If selected for funding, a written certification must be provided to OES indicating grant funds will not be used to supplant existing funds. Potential supplanting will be the subject of application review, post-award monitoring, and audit. The rules on supplanting are found in Section 1313 of the *Recipient Handbook*.

2. **Project Income (RH 6610)**

Project income, such as client fees and fees for services provided by the recipient (i.e., training, presentations, etc.), asset forfeitures, profits from the sale of project products, and conference proceeds as the result of a direct trade of time or products for money must be used to offset or augment the grant, unless otherwise specified in the RFP instructions. Project income cannot be used as matching funds, unless otherwise specified in the RFP instructions.

3. **Contract and Procurement (RH 3400)**

A competitive bid process is required to purchase equipment or consultant services with grant funds. Noncompetitive bid contracts are disfavored. Noncompetitive bid request approval by OES program staff is required prior to the purchase of equipment in excess of \$5,000, or to hire a specific consultant charging over \$5,000. Local units of government may use their approved procurement policy except for contracts over \$50,000. For organizations without a written procurement policy, a competitive bid process involves determining the specifications for the items needed and obtaining at least three bids from different vendors. Whenever a specific individual/organization name is identified in the project budget, a statement stating the selection of the individual organization was made competitively or a noncompetitive bid request will be required. OES will provide assistance in submitting a noncompetitive bid request if the proposal is selected for funding and if OES determines it is in the best interest of the project. These procedures do not apply to funds shared with participating agencies under the terms of an Operational Agreement (see Section 4500, *Recipient Handbook*).

4. **Match Policies (RH 6500)**

The RFP Instructions (Part II) may specify a cash or in-kind match. When used to augment the project, expenditures for items such as Personal Services, Operating Expenses or Equipment are considered match if not in violation of the prohibition on supplanting. Match must be specified in the budget and will become part of the Grant Award Agreement. Specific instructions for calculating the match are provided below. There are examples of how to calculate the match requirement in Sections 6550-6550.2 of the *Recipient Handbook*.

a. State Funds Matching State or Federal Funds (RH 6522)

State and/or federal funds can be used to match other state and/or federal funds **only** if the following conditions have been met:

- 1) the other funding source does not prohibit this practice;
- 2) the funds are to be used for identical activities (e.g., to augment the project); and
- 3) the project has obtained prior written approval from OES or specific RFP instructions allow this practice.

b. Type of Match

1) Cash Match (RH 6511)

Cash match, also known as hard match, is often derived from the local funding resources committed to a project such as county general fund revenue, United Way contributions, private donations or profits from fund-raising events. When used to augment the project, cash expenditures for items such as personnel, facilities and supplies may be considered cash match if not in violation of the prohibition on supplanting.

2) In-Kind Match (RH 6572)

In-kind match, also known as soft match, refers to goods and services which are contributed to the project, have a dollar value attached to them, and are also budgeted. In-kind contributions represent the project's non-cash outlay, including the non-cash outlay contributed by other public agencies and institutions, private organizations, and individuals. Examples include the donation of goods and volunteer time. In general, the value of in-kind contributions is determined by fair market value.

5. Travel Policies (RH 2236)

The following is OES' current travel policy:

a. Selection of Travel Policy (RH 2236)

The applicant may prepare the budget using its own travel policy or the state travel policy according to the following guidelines. Travel reimbursement will only be allowed based on actual costs.

Community-Based Organizations (CBO) may use the state travel policy or the applicant's written policy up to the maximum rates allowed by the state travel policy.

b. State Travel Policy (RH 2236.2)

Use the following state travel policy for budgeting travel expenses:

1) Out-of-State Travel

Out-of-state travel is restricted and only allowed in exceptional situations. Requests for approval for out-of-state travel must be submitted for OES approval.

2) Mileage

When a privately owned vehicle is utilized on project-related business, a maximum of 50.5 cents per mile is allowed, unless a higher rate is justified. Documentation justifying a higher rate must be on file and available for audit, but should not be submitted with the proposal.

3) Meals and Incidentals

a) Breakfast \$6.00

Breakfast may be claimed when travel commences at or prior to 6:00 a.m. Breakfast may be claimed on the last fractional day of a trip of more than 24 hours if travel terminates at or after 8:00 a.m.

b) Lunch \$10.00

Lunch may not be claimed for travel less than 24 hours. Lunch may be claimed if the trip begins at or before 11:00 a.m. and may be claimed on the last fractional day of a trip of more than 24 hours if the travel terminates at or after 2:00 p.m.

c) Dinner \$18.00

Dinner may be claimed if the trip begins at or before 5:00 p.m. Dinner may be claimed when travel terminates at or after 7:00 p.m., whether on a one-day trip or on the last day of a trip of more than 24 hours.

d) Incidentals \$6.00

Incidentals may be claimed for trips of 24 hours or more.

e) Total Per Diem

The maximum is \$40.00 for a 24-hour period.

4) Lodging

The maximum allowed lodging expense is \$84.00, plus applicable taxes, (except as noted below). Lodging receipts are required for reimbursement.

5) Special Lodging Rates

The maximum allowed lodging rate in Los Angeles and San Diego counties is \$110, plus applicable taxes. The maximum for Alameda, San Francisco, San Mateo, and Santa Clara counties is \$140, plus applicable taxes.

6) Other

Taxi, airport shuttle, etc., which exceed \$3.50 must be supported by receipt. Parking in excess of \$10.00 must be supported by receipt.

6. **Consultant Services (RH 3710)**

Consultant services are provided on a contractual basis by individuals or organizations not directly employed by the applicant. Independent contractors must not be used in lieu of employees. Independent contractors are defined as individuals or organizations meeting some or all of the following criteria:

- produce a specific product or service;
- work independently without direct supervision from the applicant;
- work on specific projects;
- provide services for a limited number of hours or period of time; and/or
- have no agency management or oversight responsibilities directed toward the financial success or direction of the agency.

a. **Rates**

The maximum rate for independent contractors is \$250 per hour (excluding travel and subsistence costs). A request for compensation for over \$250 per hour requires **prior approval** and additional justification.

7. **Facility Rental (RH 2232)**

Up to \$21 per square foot annually (\$1.75 per square foot per month) is allowed for facility rental. If the rental cost for office space exceeds this rate, it must be consistent with the prevailing rate in the local area. This documentation must be on file and available for audit and should not be submitted with the proposal.

Rental space for training and individual and/or group counseling rooms may also be charged to the grant, providing the charge is based on actual costs and not reimbursed by other source. If included in the project budget, provide a separate line item listing square feet.

8. **Rented or Leased Equipment (RH 2233)**

An explanation and cost analysis is required when equipment is rented or leased. This analysis must demonstrate it is more cost-effective to rent or lease the equipment than to purchase it, and must be approved by OES prior to the execution of a rental or lease agreement.

9. Indirect Costs/Administrative Overhead (RH 2220)

Indirect costs are those not readily itemized or assignable to a particular project, but necessary to the operation of the organization and the performance of the project. The costs of operating and maintaining facilities, accounting services and administrative salaries are examples of indirect costs. Flat rates not exceeding ten percent (10%) of personnel salaries (excluding benefits and overtime) or five percent (5%) of total direct project costs (excluding equipment) may be budgeted by applicant for indirect costs if allowable by the funding source. **Note:** Not VOCA allowable.

10. Audits (RH 8150)

OES projects expending \$25,000 or more of OES grant awards are required to complete and audit. The project may budget for the cost of obtaining a financial audit. Allowable audit costs are as follows:

- if the total amount of the grant is less than or equal to \$150,000, the applicant may budget up to \$2,000 for the financial audit cost; or
- if the total amount of the grant is greater than \$150,000, the applicant may budget up to one and a half percent (1.5%) of the total grant for financial audit cost.

11. Equipment (RH 2300)

Equipment is defined as nonexpendable tangible personal property having a useful life of more than one year and an acquisition cost of \$5,000 or more per unit (including tax, installation and freight).

A line item is required for different types of equipment, but not for each specific piece of equipment (e.g., three laser jet printers should be one line item, not three).

a. Allowable Expenses

Equipment used solely for project activities may be budgeted if it is essential to the implementation of the project. Grant funds may not be used to reimburse the recipient for equipment already purchased.

Rented or leased equipment must be budgeted as an Operating Expense. Lease-to-purchase agreements are generally not allowable. If a lease-to-purchase is requested, the project will be required to submit justification, including cost-effectiveness, with the Grant Award Forms Package. Prior approval by OES is required.

b. Computers (RH 2340)

1) Community-Based Organizations (RH 2342.1)

Community-based organizations may budget up to \$25,000 in computer equipment, software, and related costs. Justification will be required if the proposal is selected for funding. OES will evaluate the proposed purchase on the basis of grant-related need. Prior approval by OES is required.

2) **Computer Purchase Justification (RH 2341)**

Approval for purchases of computers and automated equipment is contingent on the applicant's ability to demonstrate cost-effective, project-related need which is best demonstrated by clearly relating each computer system or component to the grant objectives and activities. If selected for funding, the applicant will be sent instructions for preparing the justification.

c. Automobiles (RH 2331)

Automobiles are not allowable items unless permitted by the terms of the program. If an automobile is included in the budget, substantial justification demonstrating the grant-related need will be required before finalization of the Grant Award Agreement. The justification must describe the need for the automobile, including the size of service area, the need to provide direct service away from the office, and the reason why the agency will not allow personal automobiles usage during work hours. A cost analysis for automobile purchase as compared to other options including lease and personal automobile use and mileage, must be done and kept on file for review by OES's program staff during a site visit, monitoring visit, and/or audit.

12. Prohibited Expense Items (RH 2240)

a. Lobbying (RH 2242)

Refer to RH 2242.1 for an extensive list of prohibited activities.

b. Fundraising (RH 2243)

OES grant funds cannot be used for organized fundraising including financial campaigns, endowment drives, solicitation of gifts and bequests, or similar expenses incurred solely to raise capital or obtain contributions.

c. Real Property and Improvements (RH 2244)

Real property, including land, land improvements, structures and their attachments, and structural improvements and alterations are not allowable expenditures unless specifically authorized in the RFP instructions.

d. Interest (RH 2245)

The cost of interest payments is not an allowable expenditure unless the cost is a result of a lease/purchase agreement.

e. Food and Beverages (RH 2246)

The cost of food and/or beverages at grant-sponsored conferences, meetings or office functions is not an allowable expenditure.

f. Weapons and Ammunition (RH 2247)

The cost of weapons and/or ammunition of any type is not an allowable expenditure, unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

g. Membership Dues (RH 2248)

The cost of membership dues for projects involved in the licensing or credentialing of professional personnel is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized in the RFP instructions.

h. Professional License (RH 2248)

The cost of a professional license is not an allowable expenditure unless specifically authorized in the RFP instructions.

i. Annual Professional Dues or Fees (RH 2248)

The cost of professional dues or fees is not an allowable expenditure unless it is part of a governmental negotiated benefit package or is specifically authorized by the RFP instructions.

j. Charges, Fees and Penalties (RH 2245)

Finance charges, late payment fees, penalties and returned check charges are not allowable expenditures.

k. Depreciation (RH 2249)

Equipment costs may not include additional costs calculated for depreciation.

GLOSSARY OF TERMS

Term	Definition
Activity	The specific steps or action a project takes to achieve a measurable objective.
Application	Once selected for funding, the original proposal and additional forms as required by OES becomes the application. This application, once signed by the OES director or designee and the local government agency or organization authorized to accept grant funding, becomes the Grant Award/Grant Award Agreement.
Community-Based Organization (CBO)	A documented, tax exempt, nonprofit, public benefit corporation serving the community. This term is used synonymously with nonprofit organization.
Equal Employment Opportunity Plan (EEOP)	A comprehensive plan analyzing the agency's workforce and all agency employment practices to determine their impact on the basis of ethnicity and gender.
EEOP Guidelines	Extensive description of state and federal civil rights requirements and what constitutes an EEOP (samples, forms, etc.). The document was prepared to assist recipients in ensuring nondiscrimination and in the development, implementation, and/or improvement of their EEOP for compliance with the law.
Grant Award/Grant Award Agreement	The signed agreement between OES and the local government agency or organization authorized to accept grant funding.
Grant Award Forms	The forms needed to prepare an application or proposal. They may be accessed on the OES website under "Forms" (FORMS)
Grant Funding Cycle	The number of years a program may be funded without soliciting a new competitive Request for Proposal. A funding cycle is typically three years.
Grant Funding Period	The period of time, determined by the Request for Proposal (RFP) or the Request for Application (RFA) which the project narrative, objectives, activities, and budget cover. The time period is usually one year, and is shown on the Grant Award Face Sheet (OES A301).
Implementing Agency	The agency or organization designated on the Grant Award Face Sheet responsible for the day-to-day operation of the project (e.g., probation department, district attorney, sheriff).
Noncompetitive Bid Contract	A contract for goods or services, where only a single source that can provide the services or goods is afforded the opportunity to offer a price for the specified services or goods. (Contracts sometimes include goods as well as services, and this definition will also apply to those circumstances.)
Nonprofit Organization	A documented, tax exempt, nonprofit, public benefit corporation serving the community. The term is used synonymously with CBO.
Objectives	A set of quantifiable projections to be carried out in order to accomplish the program goals.

Term	Definition
Operational Agreement (OA)	A formal agreement between two agencies which specifies the responsibilities of each agency in implementing the project, including the transfer of grant funds when appropriate. This includes MOUs, Letters of Intent, etc.
Participating Agency	An organization that receives grant funds through an Operational Agreement to participate in achieving the goals of a project. The participating agency must be a unit of government or a community-based organization.
Program	A specific set of goals and objectives established pursuant to legislative, congressional, or administrative action identifying an unmet need of law enforcement or victim services and supported by an appropriation from state or federal funding sources.
Program Guidelines	The instructions concerning the programmatic and administrative requirements unique to a particular OES grant-funded program.
Project	The implementation of a program's goals and objectives by a funded state or local government agency or CBO.
Proposal	The packet of information and forms required by the RFP and submitted to OES which specifies the priorities, strategies and objectives of the applicant.
Recipient	The agency or organization designated on the Grant Award Face Sheet which receives the grant funds and who will be responsible for accomplishing the planned objectives and program goals (e.g., County of Alameda, City of Fresno, State Department of Justice, Fairfield Youth Services Bureau).
Recipient Handbook	This handbook outlines the administrative and fiscal terms and conditions required of grant projects. Funded projects must administer their grants in accordance with these conditions. The <i>Recipient Handbook</i> is accessible on the OES website at www.oes.ca.gov by selecting "Recipient Handbooks."
Request for Application (RFA)	The RFA is a packet of instructions and forms issued by OES to obtain applications from applicants through a noncompetitive process.
Request for Proposal (RFP)	The RFP is a packet of instructions and forms issued by OES to solicit competitive proposals in order to select projects for funding.
Supplanting	Supplanting is the deliberate reduction of federal, state, or local funds due to the existence of OES funds thereby reducing the total amount available for the stated purpose.
Terms of the Program	The applicable Program Guidelines, application requests [Request for Proposal (RFP)/Request for Application (RFA)], grant award agreement, OES policy statements, and applicable statutes. In the event the terms of the program are inconsistent with the provisions of this handbook, the terms of the program shall be interpreted and construed as superseding the provisions of this handbook.

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**RAPE CRISIS PROGRAM
REQUEST FOR PROPOSAL**

PART IV

CHECKLIST AND REQUIRED SEQUENCE

This checklist is provided to ensure a complete application is submitted to OES. Most of the required forms below may be acquired by selecting the FORMS link below, or by pasting this link into your browser:

www.oes.ca.gov/Operational/OESHome.nsf/CJPDHome?OpenForm

The "attachment" forms can be accessed in the electronic version of the Request for Proposal.

FORMS

- ☐ APPLICATION COVER SHEET
- ☐ GRANT AWARD FACE SHEET – Signed by the official authorized to enter into Grant Award Agreement.
- ☐ PROJECT CONTACT INFORMATION – Must be submitted with the Grant Award Face Sheet.
- ☐ SIGNATURE AUTHORIZATION AND INSTRUCTIONS – Signatures of the Project Director and Fiscal Officer are required.
- ☐ CERTIFICATE OF ASSURANCE OF COMPLIANCE – Signed by the official who signed the Grant Award Face sheet and by the official delegating the authority.
- ☐ PROJECT BUDGET
 - Budget Narrative
 - Budget Forms – OES A303a, A303b, A303c (Attachment A)
- ☐ PROJECT NARRATIVE
 - Problem Statement
 - Plan and Implementation
 - Objectives and Activities (Attachment C)
- ☐ RAPE CRISIS PROJECT SUMMARY (Attachment D)
- ☐ APPLICATION APPENDIX
 - Proof of Nonprofit Status
(IRS Form 990; CA Franchise Tax Board Form 199; OR CA Board of Charitable Trust Form CT2)
 - Organizational Chart
 - Diversity in Services and Operations
 - Sample Operational Agreement
 - Operational Agreement Summary Form
 - Project Service Area Information
 - Noncompetitive Bid Request, *if applicable*
 - Out of State Travel Request, OES 700 , *if applicable*
 - Emergency Fund Procedures, *if applicable*
 - Computer and Automated Systems Purchase Justification Guidelines, *if applicable*

SERVICE STANDARDS FOR THE OPERATIONS OF RAPE CRISIS CENTERS (7/1/05)

These service components are central to the operations of rape crisis centers and to the rights and needs of rape/sexual assault victims. Although each service is represented as a distinct set of activities, there is considerable overlap and inter-dependency between services. In the following discussion, a service standard that is the **minimum level** of adequate service is established.

With the exception of compliance to mandatory reporting laws as they pertain to child abuse, dependent adult and elder abuse, or cases involving the potential of great bodily harm to oneself or others, centers must guarantee confidentiality to all clients. The sole source of information regarding clients must be the client her/himself. Centers should have the client sign a waiver in the event the client wishes to allow their case to be discussed with any individual not employed by the center.

- A. SERVICES** - The goal of intervention is to reduce the level of trauma experienced as a result of a sexual assault by assisting victims in strengthening their coping skills through empathetic response and support during all initial and subsequent contacts.

- 1. Crisis Intervention Services** - The provision of initial services to sexual assault victims.

Service Standard

- a. Centers must maintain a 24-hour, seven day-a-week telephone line using the services of an answering service and/or a call forwarding system. The purpose of this service is to provide crisis intervention services for victims of sexual assault, family or friends, and to receive referrals from law enforcement, hospitals, and community agencies. The crisis line must be staffed at all times by staff or volunteers who are trained to provide crisis intervention and information and referral to victims of sexual assault.
- b. A trained staff member or volunteer must be immediately accessible to callers on a 24-hour basis. Immediately accessible means a waiting period not to exceed 10 minutes. Availability of an answering service to take messages is not considered full coverage and does not meet the minimum criteria.
- c. A trained staff member or volunteer is defined as an individual who has successfully completed a minimum of 40 hours of training pursuant to Evidence Code Section 1035.2 (Appendix 1), and participates in continuing education programs.
 - 1) Centers must provide a minimum of 40 hours of training to staff, volunteers and supervisors in order to meet the statutory requirements for client confidentiality. Centers must issue a Certificate of Completion of Sexual Assault Counselor Training to qualified sexual assault counselors and maintain a copy of the Certificate in the counselor's personnel file with course agenda attached.
 - 2) The training curriculum must include, but is not limited to, the following subject areas: Rape Trauma Syndrome; child sexual abuse; crisis intervention principles and techniques; medical, law enforcement, criminal justice/legal procedures; mandated reporting laws; confidentiality; referral methods and resources; historical, psychological, and socio-cultural aspects of sexual assault; and the provision of services directed toward groups that have experienced discrimination. All subject areas are to be specific to sexual assault victims.
 - 3) A training manual must be developed and provided to each staff member and volunteer staffing the crisis line. The manual must cover the training curriculum listed above and must include policies and procedures for volunteers. (See Section G. 2.)
 - 4) Sexual assault counselors must participate in 12 hours of continuing education each year. No more than 4 hours may be self-study (e.g. reading assignment, approved educational video). The remaining 8 hours must be participatory (e.g. trainings conducted by the RCC, case management, workshops focusing on sexual assault issues, teleconference trainings, educational conference calls) and focus on sexual assault and/or issues that arise during provision of sexual assault services. Sexual assault counselor's personnel files must include documentation to support attendance at 12 hours of continuing education training including, at a minimum, training dates, time, topic and location. Conference agendas and supporting documentation should be included when available.

- d. Adequate supervision of volunteers is essential in order to ensure consistent quality of services. The staff of the center must supervise volunteers. This must include a system that requires contact between staff and volunteers within the time frame outlined in the volunteer policies of the individual agency. The purpose of the contact is to report having received a crisis call and to discuss actions taken or methods of proceeding.
 - e. Staff and volunteers handle initial client contacts, provide immediate crisis intervention, follow-up contact, and in-person counseling in order to ensure consistent services. If the center does not provide long-term counseling services, the case must be referred to a qualified professional with expertise in sexual assault counseling depending on the needs of the victim. (B.1. and 4.)
 - f. At a minimum, centers must serve the same number of sexual assault victims as there are cases of forcible rape (Penal Code [P.C.] Section 261) reported to law enforcement agencies within the center's service area during the grant year. Sexual assault includes, but is not limited to the following violations listed in the California P.C.: rape; unlawful intercourse; gang rape; rape by foreign object; spousal rape; attempted rape; assault with intent to rape; sexual battery; oral copulation; sodomy; incest; annoying or molesting a child; lewd or lascivious conduct with a child; and unlawful sexual intercourse, oral copulation or sodomy when consent is procured by fear or fraudulent representation with intent to create fear.
 - g. Business Hours - P.C. Section 13837 (Appendix B) requires centers to maintain regular business hours.
 - 1) All rape crisis centers must maintain "normal business hours." This means center offices must be open to the public Monday through Friday for a continuous 8 hour period that occurs between 8:00 a.m. and 5:00 p.m. with the only exception being closure during the lunch hour.
 - 2) All rape crisis centers must make every possible effort to have staff in the office to respond to telephone inquiries, drop-in clients or members of the public during their established business hours.
 - 3) Rape crisis centers with a full-time office worker/secretary/clerical position must have staff in their office at all times during their business hours.
2. **Follow-up Counseling Services** - Client contact made either by telephone or in-person immediately after the initial crisis and/or subsequently thereafter in order to meet the immediate and on-going needs of the client, ensure the continuity of services, and/or to offer and arrange a referral related to the client's needs.

Service Standard

- a. Centers must offer to contact all clients within 3 working days after providing crisis intervention services and shall do so when appropriate and/or according to the needs of the client.
 - b. A minimum of 45 % of clients receiving crisis intervention services must receive follow-up counseling services. An attempt to provide this service for each client is required.
 - c. Centers must establish intervals during which staff or volunteers will attempt to contact all clients after the initial provision of crisis intervention and initial follow-up contact.
 - d. Follow-up counseling also means that centers must perform periodic assessments of each client's needs. The frequency of such assessment must be based upon the severity and characteristics of each individual case. Counseling intervention plans must be modified according to the assessment results.
3. **Short-term In-person Counseling Services** - The provision of one-to-one, face- to-face counseling services for up to 10 weeks from the first counseling session.

Service Standard

- a. In addition to the provision of telephone counseling, centers must provide one-to-one, face-to-face, short-term counseling services. The service provider must be a trained staff member or volunteer who has received a minimum level of training and supervision. (A. 1. c. and 1. d.)
- b. All sexual assault victims who contact the center's crisis telephone, business office telephone, or business office must be offered in-person counseling services when indicated by their needs.

4. **Long-term In-person Counseling Services** - The provision of one-to-one, face-to-face, counseling

services provided for longer than 10 weeks by non-licensed, peer counsel counselors, licensed therapists, interns or trainees.

Service Standard

- a. Centers must make long-term counseling services available. This means to provide the service or to make arrangements through other agencies or individuals.
 - b. Centers that offer long-term counseling services must provide counselors who have a minimum of two years of supervised counseling experience, at least one of which is in rape crisis counseling, or have 40 hours of training and be supervised by a person with the experience described above; or, be a licensed therapist, intern or trainee with expertise in sexual assault counseling.
 - c. A written consent for treatment should be signed by clients prior to provision of long-term counseling services.
 - d. Referral resources for long-term counseling services must be selected by center staff. The screening and selection process must include personal interviews. Letters of agreement must be developed between the center and these resources that clearly delineate expectations and services of the parties involved.
 - e. When clients are referred out of the agency for long-term counseling, a minimum of 3 choices must be provided. Of these, only one can be staff, an active board member, or a volunteer of the center.
5. **Long-term Therapy Services** - The provision of or referral to services provided by licensed therapists or supervised clinical interns with expertise in sexual assault counseling.

Service Standard

- a. Centers must make long-term therapy services available. This means to provide the service or to make arrangements through other agencies or individuals.
 - b. A written consent for treatment should be signed by clients prior to the provision of long-term therapy.
 - c. Referral resources for long-term therapy services must be selected by center staff. The screening and selection process must include personal interviews of the referral resources. Letters of agreement must be developed between the center and these resources that clearly delineate the expectations and services of the parties involved.
 - d. When clients are referred to private therapists, a minimum of 3 choices must be provided. Of these, only one can be staff, an active board member, or a volunteer of the center
6. **Support Groups** - Facilitated group of sexual assault survivors to offer information and mutual support.

Service Standard

- a. Centers must provide for the availability of support groups. This means to provide the service or to make arrangements for the provision of these groups through other agencies or individuals.
- b. If the service is provided by the center, the facilitator must be a trained staff member or volunteer who has received the minimum 40-hour training, or is a licensed therapist with expertise in sexual assault treatment, and who receives a minimum level of supervision, and has training and experience in facilitating a support group.
- c. Referral resources for the provision of support groups must be selected by staff of the center. The screening and selection process must include personal interviews of the referral resource. Formal letters of agreement must be developed between the center and these resources which clearly delineate the expectations and services of the parties involved, including training, and must be signed by representatives of both parties. Centers must evaluate the quality of services provided by referral resources on an annual basis.

7. **Accompaniment Services** - Escorting or meeting face-to-face with sexual assault clients at appropriate places of their choice.

Service Standard

- a. Centers must provide for the availability of accompaniment services. This means to provide the service or to make arrangements through other agencies or organizations to provide accompaniment. These services must be available on a 24-hour basis.
 - b. Accompaniment services must be provided for sexual assault victims to hospitals, law enforcement agencies, district attorney's offices, court proceedings, and other agencies or locations according to the needs of the client.
 - c. Staff or volunteers providing this service must have completed the 40-hour training program and must participate in continuing education programs.
 - d. Centers that refer to other agencies for provision of accompaniment services must develop a formal letter of agreement with those agencies. The letter must clearly delineate the expectations of each party, including training, and be signed by representatives of both agencies. Centers must evaluate the quality of services provided by referral resources on an annual basis.
 - e. Clients receiving crisis intervention services must be offered accompaniment services when indicated by the needs of that client.
8. **Advocacy Services** - The process by which rape crisis counselors intervene with other agencies or individuals on behalf of sexual assault victims to achieve a particular goal or result desired by that victim.

Service Standard

- a. Centers must provide for the availability of advocacy services. This means to provide the service or to make arrangements through other agencies or organizations to provide advocacy. These services must be available on a 24-hour basis.
 - b. Advocacy services must be provided for sexual assault victims with hospitals, law enforcement agencies, district attorney's offices, court proceedings, and other agencies or locations according to the needs of the client.
 - c. Staff or volunteers providing this service must have completed the 40-hour training program and must participate in continuing education programs.
 - d. Centers that refer to other agencies for the provision of advocacy services must develop a formal letter of agreement with those agencies. The letter must clearly delineate the expectations of each party, including training, and be signed by representatives of both agencies. Centers must evaluate the quality of services provided by referral resources on an annual basis.
 - e. Clients receiving crisis intervention services must be offered advocacy services when indicated by the needs of that client.
9. **Information and Referral Services** - The provision of sexual assault-related information and/or referrals regarding community resources.

Service Standard

- a. Centers must respond to requests for information from the general public, as well as from persons receiving services, and must provide referrals to community resources.
- b. A referral resources list must be developed, maintained, and regularly updated which includes the following: law enforcement agencies, district and city attorney's offices, medical care providers, mental health treatment facilities, county departments of social services, child protective services, rape crisis centers, domestic violence centers, child sexual abuse treatment programs, victim/witness assistance centers, and a list of licensed therapists with knowledge and expertise in the area of sexual assault.

- c. Referral resources for treatment must be selected by staff of the center. The screening and selection process must include personal or telephone interviews of the referral resources. When appropriate, letters of agreement should be developed between the centers and these resources which clearly delineate the expectations and services of the parties involved, including training, and should be signed by representatives of both agencies.

10. Community Education Programs

Service Standard

- a. Centers must provide community outreach and education programs.
- b. Community outreach includes, but is not limited to, efforts made through public speaking engagements, and use of the real time educational instruction to inform the community about the services and operations of the center, and/or information regarding sexual assault.
- c. A community education program means a program, workshop, seminar or real time educational instruction (e.g., in-person via teleconferencing or web conferencing) in which information is provided regarding sexual assault.
- d. Community education programs must be presented by certified sexual assault counselors, as described in Section A.1.c and P.C. Section 1035.2 (Appendix A).

- B. AGENCY COORDINATION** - Centers must establish themselves as active participants in local public and private service networks in order to provide for timely and comprehensive responses to sexual assault victim's needs.

Service Standard

1. Centers must develop and maintain cross-referral arrangements between local hospitals, law enforcement agencies, district attorney's office, victim/witness assistance centers, social service providers and other community agencies, such as treatment providers. This must be documented by a formal letter of agreement regarding cross-referrals, clearly delineating the expectations of each party, including training, and signed by representatives of both agencies.
2. The center must regularly provide training and receive training from the above-described agencies.
3. Centers must directly assist, or must refer clients to victim/witness assistance centers or private attorneys for assistance in the preparation of victim compensation claims for submission to the Victim Compensation and Government Claims Board.
4. Centers must participate in regularly-scheduled (quarterly, at a minimum) multi-disciplinary meetings to develop or enhance multi-disciplinary sexual assault response team (SART) efforts in their local service area. The purpose of these meetings is to implement a comprehensive, sensitive, coordinated system of intervention and care for sexual assault victims. The primary partners of the SART team should include, but are not limited to: rape crisis centers, local law enforcement, District Attorney's office, crime laboratory, sexual assault forensic medical examination team(s), county victim/witness assistance center, and representatives of local medical site(s) at which forensic sexual assault examinations are conducted.

- C. HUMAN RELATIONS TRAINING** - Centers must provide training to all staff and volunteers on a yearly basis on providing services directed toward groups that have experienced discrimination and prejudice. This is in addition to the 40-hour training listed in Section A.1.c.

Service Standard

1. This training must focus on educating staff and volunteers regarding groups that have experienced prejudice and discrimination on the basis of race, sex, age, class, religious belief, disability, or sexual orientation and the effect of these practices on service delivery for victims of sexual assault. This training must emphasize the correlation between oppression of any group in our culture and the dynamics of sexual assault.
2. Training must be provided by persons who have expertise in the subject area.

D. INCLUSION OF MINORITY GROUPS IN SERVICES AND OPERATIONS

Service Standard

Centers must include members of minority groups in their services and operations. This means:

1. Recruitment that is directed to all minority groups in the service area.
2. Centers must make every attempt to provide services to members of minority groups that are proportionate to the demographic characteristics of the service area. These services must be culturally appropriate.
3. The composition of the agency's staff, and of their volunteers, must be made up of individuals who proportionately represent the ethnic/racial demographic characteristics of the service area. If this is not possible, documentation must be maintained which reflects the good faith efforts of the agency to achieve this goal. "Good faith efforts" should include, but are not be limited to, the following:
 - a. Evidence of a plan adopted by the governing board to meet the recruitment criteria;
 - b. Evidence of recruitment efforts in ethnic newspapers and newspapers of general circulation;
 - c. Evidence or documentation of outreach to local leaders and community groups;
 - d. Outreach to business and professional organizations; and
 - e. Outreach to local colleges and universities.
4. Centers must provide culturally and ethnically relevant materials for outreach and community education efforts
5. Centers must provide education programs in the predominant language(s) of the community.

E. ADMINISTRATION

1. Paid Staff

Service Standard

- a. The minimum number of initial training hours that must be provided for paid staff is 40 hours.
- b. The training curriculum must include, but is not limited to, the following subject areas:
Rape Trauma Syndrome; child sexual abuse; crisis intervention principles and techniques; medical, law enforcement, and criminal justice/legal procedures; mandated reporting laws; confidentiality; referral methods and resources; historical, psychological, and socio-cultural aspects of sexual assault; training on providing services directed toward groups that have experienced discrimination; and training pertinent to specific staff assignments. The above subject areas are to be specific to sexual assault victims.
- c. In addition to the initial 40-hour training program, staff must be offered ongoing, culturally appropriate training to keep them abreast of current developments and trends in the field of sexual assault.
- d. Each new staff person must receive an orientation to the agency that must include, but not be limited to, a job description, personnel policies, and training requirements.

2. Volunteer Staff

Service Standard

Centers must maintain up-to-date volunteer policies that include, at a minimum, policies for: leave; attendance at continuing education programs; time commitments; confidentiality; travel expense reimbursement; and regular volunteer evaluations. Acknowledgment of receipt and understanding of these policies must be documented by the volunteer's signature.

3. Volunteer Board of Directors

Service Standard

- a. The board must be made up of individuals who proportionately represent the ethnic/racial demographic characteristics of the service area. If this is not possible, documentation must be maintained that reflects

the good faith efforts of the agency to achieve this goal. "Good faith efforts" should include, but are not be limited to, the following:

- 1) Evidence of a plan adopted by the governing board to meet the recruitment criteria;
 - 2) Evidence of recruitment efforts in ethnic newspapers and newspapers of general circulation;
 - 3) Evidence or documentation of outreach to local leaders and community groups;
 - 4) Outreach to business and professional organizations; and
 - 5) Outreach to local colleges and universities.
- b. A formal selection process must be established for board members.
- c. Directors must be provided with training to include such topics as: history and goals of the organization; information about funding sources; general expectations; board member responsibilities including fund-raising; copies of bylaws, articles of incorporation, and personnel policies.

F. INTERNAL MANAGEMENT

Service Standard

Centers must develop adequate policies and procedures to protect the agency from legal liability.

1. Centers must maintain and follow up-to-date bylaws.
2. Centers must maintain up-to-date personnel policies designed to protect the rights of staff and management. These policies must, at a minimum, include grievance procedures for both staff and executive directors; leave policies; work hour and benefit policies; regular staff evaluations, policies for setting salaries and salary increases and policies for nondiscrimination.
3. Centers must maintain functional time sheets and personnel files. Functional time sheets mean records that reflect the actual hours spent on each project according to funding source.
4. Centers must maintain records to substantiate the number of clients served, the number of prevention and educational programs provided and the number of attendees.
5. Centers must have regularly scheduled staff meetings to discuss agency business, which includes but is not limited to information about funding sources and national, statewide, and local coalitions for rape crisis centers.
6. Centers must conform to Generally Accepted Accounting Principles (GAAP).

CALIFORNIA EVIDENCE CODE

Evidence Code Section 1035.2 – “Sexual Assault Victim Counselor” Defined

As used in this article, “sexual assault victim counselor” means any of the following:

- (a) A person who is engaged in any office, hospital, institution, or center commonly known as a rape crisis center, whose primary purpose is the rendering of advice or assistance to victims of sexual assault and who has received a certificate evidencing completion of a training program in the counseling of sexual assault victims issued by a counseling center that meets the criteria for the award of a grant established pursuant to Section 13837 of the Penal Code and who meets one of the following requirements:
 - (1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape crisis counseling.
 - (2) Has 40 hours of training as described below and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include, but not be limited to, the following areas: law, medicine, societal attitudes, crisis intervention and counseling techniques, role playing, referral services, and sexuality.
- (b) A person who is employed by any organization providing the programs specified in Section 13835.2 of the Penal Code, whether financially compensated or not, for the purpose of counseling and assisting sexual assault victims, and who meets one of the following requirements:
 - (1) Is a psychotherapist as defined in Section 1010; has a master’s degree in counseling or a related field; or has one year of counseling experience, at least six months of which is in rape assault counseling.
 - (2) Has the minimum training for sexual assault counseling required by guidelines established by the employing agency pursuant to subdivision (c) of Section 13835.10 of the Penal Code, and is supervised by an individual who qualifies as a counselor under paragraph (1). The training, supervised by a person qualified under paragraph (1), shall include, but not be limited to, the following areas: law, victimology, counseling techniques, client and system advocacy, and referral services.

Evidence Code Section 1035.4 “Confidential Communication Between Sexual Assault Counselor and Victim” Defined

As used in this article, “confidential communication between the sexual assault counselor and the victim” means information transmitted between the victim and the sexual assault counselor in the course of their relationship and in confidence by a means which, so far as the victim is aware, discloses the information to no third persons other than those who are present to further the interests of the victim in the consultation or those to whom disclosures are reasonably necessary for the transmission of the information or an accomplishment of the purposes for which the sexual assault counselor is consulted. The term includes all information regarding the facts and circumstances involving the alleged sexual assault and also includes all information regarding the victim’s prior or subsequent sexual conduct, and opinions regarding the victim’s sexual conduct or reputation in sexual matters.

The court may compel disclosure of information received by the sexual assault counselor which constitutes relevant evidence of the facts and circumstances involving an alleged sexual assault about which the victim is complaining and which is the subject of a criminal proceeding if the court determines that the probative value outweighs the effect on the victim, the treatment relationship, and the treatment services if disclosure is compelled.

When a court is ruling on a claim of privilege under this article, the court may require the person from whom disclosure is sought or the person authorized to claim the privilege, or both, to disclose the information in chambers out the presence and hearing of all persons except the person authorized to claim the privilege and such other persons as the person authorized to claim the privilege is willing to have present. If the judge determines that the information is privileged and must not be disclosed, neither he or she nor any other person may ever disclose, without the consent of a person authorized to permit disclosure, what was disclosed in the course of the proceedings in chambers.

If the court determines certain information shall be disclosed, the court shall so order and inform the defendant. If the court finds there is a reasonable likelihood that particular information is subject to disclosure pursuant to the balancing test provided in this section, the following procedure shall be followed:

- (1) The court shall inform the defendant of the nature of the information, which may be subject to disclosure.
- (2) The court shall order a hearing out of the presence of the jury, if any, and the hearing allow the questioning of the sexual assault counselor regarding the information which the court has determined may be subject to disclosure.
- (3) At the conclusion of the hearing, the court shall rule which items of information, if any, shall be disclosed. The court may make an order stating what evidence may be introduced by the defendant and the nature of questions to be permitted. The defendant may then offer evidence pursuant to the order of the court. Admission of evidence concerning the sexual conduct of the complaining witness is subject to Sections 352, 782, and 1103.

Evidence Code Section 1035.6 “Holder of the Privilege” Defined

As used in this article, “holder of the privilege” means:

- (a) The victim when such person has no guardian or conservator.
- (b) A guardian or conservator of the victim when the victim has a guardian or conservator.
- (c) The personal representative of the victim if the victim is dead.

Evidence Code Section 1035.8 When Privilege to Refuse to Disclose Confidential Communication May Be Claimed

A victim of a sexual assault, whether or not a party, has a privilege to refuse to disclose, and to prevent another from disclosing, a confidential communication between the victim and a sexual assault victim counselor if the privilege is claimed by:

- (a) The holder of the privilege;
- (b) A person who is authorized to claim the privilege by the holder of the privilege; or
- (c) The person who was the sexual assault victim counselor at the time of the confidential communication, but such person may not claim the privilege if there is no holder of the privilege in existence or if he is otherwise instructed by a person authorized to permit disclosure.

Evidence Code Section 1036 When Counselor Shall Claim Privilege

The sexual assault victim counselor who received or made a communication subject to the privilege under this article shall claim the privilege whenever he is present when the communication is sought to be disclosed and is authorized to claim the privilege under subdivision (c) Section 1035.8.

Evidence Code Section 1036.2 “Sexual Assault” Defined

As used in this article, “sexual assault” includes all of the following:

- (a) Rape, as defined in Section 261 of the Penal Code.
- (b) Unlawful sexual intercourse, as defined in Section 261.5 of the Penal Code.
- (c) Rape in concert with force and violence, as defined in Section 264.1 of the Penal Code.
- (d) Rape of a spouse, as defined in Section 262 of the Penal Code.
- (e) Sodomy, as defined in Section 262 of the Penal Code, except a violation of subdivision (e) of that section.
- (f) A violation of Section 288 of the Penal Code.
- (g) Oral copulation, as defined in Section 288a of the Penal Code, except a violation of subdivision (e) of that section.
- (h) Penetration of the genital or anal opening of another person with a foreign object, substance, instrument, or device, as specified in Section 289 of the Penal Code.
- (i) Annoying or molesting a child under 18, as defined in Section 647a of the Penal Code.
- (j) Any attempt to commit any of the above acts.

CALIFORNIA PENAL CODE

Penal Code Section 13836 – Advisory Committee; Duties; Sex Crime Prosecution Units

The Office of Criminal Justice Planning shall establish an advisory committee, which shall develop a course of training for district attorneys in the investigation and prosecution of sexual assault cases, child sexual exploitation cases, and child sexual abuse cases and shall approve grants awarded pursuant to Section 13837. The courses shall include training in the unique emotional trauma experienced by victims of these crimes.

It is the intent of the Legislature in the enactment of this chapter to encourage the establishment of sex crime prosecution units, which shall include, but not be limited to, child sexual exploitation and child sexual abuse cases, in district attorneys' offices throughout the state.

Penal Code Section 13836.1 – Members of Advisory Committee; Compensation; Expenses

Such committee shall consist of 11 members. Five shall be appointed by the executive director of the Office of Criminal Justice Planning, and shall include three district attorneys or assistant or deputy district attorneys, one representative of a city police department or a sheriff or a representative of a sheriff's department, and one public defender or assistant or deputy public defender of a county. Six shall be public members appointed by the Commission on the Status of Women, and shall include one representative of a rape crisis center, and one medical professional experienced in dealing with sexual assault trauma victims. The committee members shall represent the points of view of diverse ethnic and language groups.

Members of the committee shall receive no compensation for their services but shall be reimbursed for their expenses actually and necessarily incurred by them in the performance of their duties. Staff support for the committee shall be provided by the Office of Criminal Justice Planning.

Penal Code Section 13837 – Rape Victim Counseling Centers

13837. (a) The OES shall provide grants to proposed and existing child sexual exploitation and child sexual abuse victim counseling centers and prevention programs. Grant recipients shall provide appropriate in-person counseling and referral services during normal business hours, and maintain other standards or services which shall be determined to be appropriate by the advisory committee established pursuant to Section **13836** as grant conditions. The advisory committee shall identify the criteria to be utilized in awarding the grants provided by this chapter before any funds are allocated.

In order to be eligible for funding pursuant to this chapter, the centers shall demonstrate an ability to receive and make use of any funds available from governmental, voluntary, philanthropic, or other sources which may be used to augment any state funds appropriated for purposes of this chapter. Each center receiving funds pursuant to this chapter shall make every attempt to qualify for any available federal funding.

Attachment B – APPENDIX 2

State funds provided to establish centers shall be utilized when possible, as determined by the advisory committee, to expand the program and shall not be expended to reduce fiscal support from other public or private sources. The centers shall maintain quarterly and final fiscal reports in a form to be prescribed by the administering agency. In granting funds, the advisory committee shall give priority to centers which are operated in close proximity to medical treatment facilities.

(b) (1) It is the intent of the Legislature that a goal or purpose of the OES shall be to ensure that all victims of sexual assault and rape receive comprehensive, quality services, and to decrease the incidence of sexual assault through school and community education and prevention programs.

(2) The OES and the advisory committee established pursuant to Section **13836** shall collaboratively administer sexual assault/rape crisis center victim services programs and provide grants to proposed and existing sexual assault services programs (SASPs) operating local rape victim centers and prevention programs. All SASPs shall provide the services in subparagraphs (A) to (G), inclusive, and to the extent federal funding is made available, shall also provide the service described in subparagraph (H). The OES shall provide financial and technical assistance to SASPs in implementing the following services:

- (A) Crisis intervention, 24 hours per day, seven days per week.
- (B) Followup counseling services.
- (C) In-person counseling, including group counseling.
- (D) Accompaniment services.
- (E) Advocacy services.
- (F) Information and referrals to victims and the general public.
- (G) Community education presentations.
- (H) Rape prevention presentations and self-defense programs.

(3) The funding process for distributing grant awards to SASPs shall be administered as follows:

(A) The OES and the advisory committee established pursuant to Section **13836** shall collaboratively adopt each of the following:

(i) The process and standards for determining whether to grant, renew, or deny funding to any SASP applying or reapplying for funding under the terms of the program.

(ii) For SASPs applying for grants under the RFP process described in subparagraph (B), a system for grading grant applications in relation to the standards established pursuant to clause (i), and an appeal process for applications that are denied. A description of this grading system and appeal process shall be provided to all SASPs as part of the application required under the RFP process.

(iii) For SASPs reapplying for funding under the RFA process described in subparagraph (D), a system for grading the performance of SASPs in relation to the standards established pursuant to clause (i), and an appeal process for decisions to deny or reduce funding. A description of this grading system and appeal process shall be provided to all SASPs receiving grants under this program.

(B) Grants for centers that have previously not been funded or were not funded in the previous cycle shall be awarded as a result of a competitive request for proposal (RFP) process. The RFP process shall comply with all applicable state and federal statutes for sexual assault/rape crisis center funding, and to the extent possible, the response to the RFP shall not exceed 25 narrative pages, excluding attachments.

(C) Grants shall be awarded to SASPs that propose to maintain services previously granted funding pursuant to this section, to expand existing services or create new services, or to establish new sexual assault/rape crisis centers in underserved or unserved areas. Each grant shall be awarded for a three-year term.

Attachment B – APPENDIX 2

(D) SASPs reapplying for grants shall not be subject to a competitive bidding grant process, but shall be subject to a request for application (RFA) process. The RFA process for a SASP reapplying for grant funds shall consist in part of an assessment of the past performance history of the SASP in relation to the standards established pursuant to subparagraph (A). The RFA process shall comply with all applicable state and federal statutes for sexual assault/rape crisis center funding, and to the extent possible, the response to the RFA shall not exceed 10 narrative pages, excluding attachments.

**GOVERNOR'S OFFICE OF EMERGENCY SERVICES
LAW ENFORCEMENT AND VICTIM SERVICES DIVISION**

**RAPE CRISIS PROGRAM – MERCED & MARIPOSA COUNTIES
COMPETITIVE REQUEST FOR PROPOSAL**

RATING FORM

	Control #:
	Rater #:
APPLICANT:	
FUNDS REQUESTED:	

<u>CATEGORY</u>	<u>TOTAL POINTS POSSIBLE</u>
1. PROBLEM STATEMENT.....	240
2. PLAN and IMPLEMENTATION	210
3. BUDGET	96
4. COMPREHENSIVE ASSESSMENT	54
TOTAL	600

Each of the above categories contains questions assigned a point value. The point scale is divided into five columns labeled **I, II, III, IV, and V**. The applicant's response to each question is evaluated on the following criteria:

- I. ABSENT:** The response does not address the specific question or a response was not provided.
- II. UNSATISFACTORY:** The response does not completely address the question. Information presented does not provide a good understanding of applicant's intent, does not give detailed information requested by the RFP, or does not adequately support the proposal or the intent of the program.
- III. SATISFACTORY:** The response addresses the question, providing a good understanding of the applicant's intent. Response adequately supports the proposal and the intent of the program.
- IV. ABOVE AVERAGE:** The response is above average, providing a clear and detailed understanding of the applicant's intent. The response presented a persuasive argument supporting the proposal and the intent of the program.
- V. EXCELLENT:** The response is outstanding, with clear, detailed and relevant information. The response presented a compelling argument supporting the proposal and the intent of the program.

	I	II	III	IV	V
	0%	25%	50%	75%	100%
	0	20	40	60	80
1. PROBLEM STATEMENT (Maximum 240 points) 1) How thoroughly does the applicant describe the nature/degree of the problem of sexual assault in the designated service area and support it with the requested statistical information? 2) How extensive is the agency's experience in providing relevant services to ethnic and other population groups that are comparable to those in this RFP's service area? 3) How well does the provided service provision data compare to ethnic and other population groups in the RFP's service area?					
2. PLAN AND IMPLEMENTATION (Maximum 210 points)	0	3	5	8	10
a. Services – Responses must conform to the requirements delineated in the <i>Service Standards</i> . For each of the following services, how thoroughly did the applicant describe:					
1) <u>24-hour crisis line</u> How the 24-hour crisis line will be operated, including who will answer the crisis line during business and non-business hours, and back-up procedures used to ensure coverage?					
2) <u>Crisis Intervention</u> How crisis intervention will be provided including response time, training for staff, trainers, training manual content, and supervision of trained staff?					
3) <u>Follow-up</u> How follow-up services are provided, who receives this service and when, and who provides this service?					
4) <u>In-person Counseling</u> How in-person counseling is provided, methods used to provide this service, who receives this service and when, and who provides this service?					
5) <u>Accompaniment</u> a. How this service is provided, who receives this service and when, and who provides this service?					

	I	II	III	IV	V
<p>b. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p> <p>c. If referred out, is the required Operational Agreement(s) for the current grant year, signed and dated by both parties, and included in the Appendix? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p>					
<p>6) <u>Advocacy</u></p> <p>a. How this service is provided, who receives this service and when, and who provides this service?</p> <p>b. If this service is referred out, when, how and to whom are clients referred and what referral procedures are used? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p> <p>c. If referred out, is the required Operational Agreement(s) for the current grant year, signed and dated by both parties, and included in the Appendix? Note: If this service is provided in-house and not referred out, full points are to be awarded.</p>					
<p>7) <u>Community Education Programs</u></p> <p>The approach to raise awareness of sexual assault, outreach efforts toward special populations and the training received by community education staff.</p>					
<p>8) <u>Multi-Disciplinary SART Meetings</u></p> <p>Who will attend the meetings, what disciplines will attend the meetings and whether relationships have already been developed with these disciplines?</p>					
<p>b. Agency Administration</p> <p>1) How thoroughly did the applicant describe their purpose and mission?</p>	0	4	8	12	15
	0	5	10	15	20
<p>2) How thoroughly did the applicant describe the purpose of sexual assault victim confidentiality, processes to ensure sexual assault victim confidentiality, and how staff is informed of statutory requirements?</p>					

	I	II	III	IV	V
c. Agency Coordination	0	4	8	12	15
1) How thoroughly does the applicant describe efforts to coordinate service delivery with the designated agencies, and does this description include information on cross training, participation on joint committees, etc.?					
2) Are OAs included in the Appendix with each of the designated agencies, do they describe plans for the coordination of services, identify the party who provides the services and what those services are, contain original signatures of both parties, and are they dated within the last three months?	0	3	5	8	10
d. Objectives and Activities	0	4	8	12	15
Are all seven objectives included, and do activities describe the steps that need to be taken to achieve the Objectives?					
e. Organizational Chart					
Is the current Organizational Chart included, does it show the relationships between the governing body, the organization, the project, the project staff, the project volunteers and the lines of supervision. Do all the job titles match those in the Budget and Budget Narrative?					
3. BUDGET, including budget narrative (Maximum 96 points)	0	12	24	36	48
a. How well does the budget narrative support the proposal objectives and activities, and the intent and requirements of the program?					
b. How well are the funds allocated in the Budget Category Forms? How well do the line items support the proposal plan, objectives, and activities of the program?					
4. COMPREHENSIVE ASSESSMENT (Maximum 54 points)	0	14	27	41	54
How well does this proposal support the overall intent, goals, and purpose of the program?					

SUMMARY OF PAST PERFORMANCE POLICY

The following is a summary of OES' Past Performance Policy. A complete copy may be obtained by sending a written, fax or email request to the attention of the Deputy Director of Law Enforcement and Victim Services Division:

Governor's Office of Emergency Services
Law Enforcement and Victim Services Division
3650 Schriever Avenue
Mather, CA 95655
Attn: Merced & Mariposa Counties Rape Crisis Program RFP –
Sexual Assault Unit
Fax: (916) 327-5674

1. **General Policy**

This policy is intended to penalize existing recipients having serious performance problems and will be utilized only in connection with the RFP process on the awarding of grants for new funding cycles. It was developed in consultation with OES' advisory groups.

2. **Penalty Levels**

Level A: Complete disqualification from RFP process.

Level B: 10% point reduction of total possible points from an applicant's score.

3. **Standard For Invoking This Policy**

The standard for invoking either penalty is whether the applicant's compliance with grant terms and conditions falls **significantly** below average — far below the level to be expected of other recipients, and not minor incident(s) of noncompliance with OES policies.

a. ***Serious Performance Problems Eligible For Consideration***

Performance problems which would qualify under this policy include, but are not limited to:

- 1) significant failure to account for use of funds, mishandling/misuse of funds, fraud or embezzlement, or other material accounting irregularities or violation(s), as documented in an audit report, monitoring report, police report, or other similar objective documentation;
- 2) violation(s) of material statutory requirements related to the grant;
- 3) a willful or grossly negligent violation of an OES policy, or Terms of the Program, but **only after** the recipient had been provided:
 - a) technical assistance by OES, including a site visit if necessary, to remedy the violation;
 - b) at least one written notice (per violation); and
 - c) a reasonable opportunity to remedy the violation.

Written notice of serious performance problems will be provided to the recipient's executive officer. Failure to remedy the violation may negatively impact the recipient's eligibility for future funding.

It is not necessary for a criminal conviction to have occurred for OES to consider actions appearing to constitute fraud, embezzlement, mishandling of funds or other types of statutory violations. OES must only have reliable evidence this conduct occurred. Moreover, only properly documented performance problems will be considered.

b. Factors Considered

In determining an appropriate penalty, factors to be considered include, but are not limited to:

- 1) the seriousness of the problem;
- 2) whether the problem identified were intentional;
- 3) whether the problem revealed dishonest behavior by the applicant;
- 4) whether the interests of the State or the public were harmed by the problem;
- 5) whether the problem or problems were a one-time occurrence or represent an ongoing pattern of behavior;
- 6) whether the problem was documented objectively; and
- 7) whether OES attempted to assist the recipient in remedying the problem.

c. Specific Examples

Performance problems should be considered on a case-by-case basis, with the totality of the circumstances to be considered. The following examples are not intended to be binding or restrictive of OES' authority to determine the appropriate penalty in a particular case:

- 1) OES conducts a visit of a project and makes the following findings:
 - a) the shelter failed to pay overtime on two occasions;
 - b) three timesheets did not contain a supervisor's approval; and
 - c) the project's doors opened at 9:30 a.m. instead of 9:00 a.m. as stated on its RFP proposal.

A corrective action plan is developed and the recipient takes steps to address the findings. Communication with the recipient four months later shows the findings have been corrected.

Penalty: None

- 2) An audit a year ago discovered a project employee embezzled \$300 of OES funds. The audit concludes this occurred in part due to inadequate management controls and supervision by the project. The employee was fired and the case submitted to the district attorneys office for prosecution. The recipient has implemented new accounting and management policies and procedures, and promises to better supervise its employees. No other problems with the recipient are known.

Penalty: Level B

- 3) A project has agreed to provide victim advocacy services in County X. The recipient spends \$40,000 on non grant related expenses but does not provide the services. This is documented in the site visit report. The project's Progress Reports to OES report the services are being provided. OES refers the matter to the district attorney for prosecution, but no additional steps have yet been taken.

Penalty: Level A

4. Notification to the Applicant and Appeal of Decision

A letter will be sent by certified mail to the applicant denied funding due to past performance problem(s). The applicant shall be provided with a summary of why the performance problem penalty was invoked. The applicant is entitled to appeal the denial of funding on the same basis as other appeals of denial of funding, pursuant to the Appeals Guidelines.



GOVERNOR'S OFFICE OF EMERGENCY SERVICES

LAW ENFORCEMENT AND VICTIM SERVICES DIVISION

3650 SCHRIEVER AVENUE
MATHER, CALIFORNIA 95655
(916) 327- 3672
FAX: (916) 327- 5674



Proposal Cover Sheet

RFP PROCESS

RAPE CRISIS PROGRAM – MERCED AND MARIPOSA COUNTIES

Submitted by:

(Place name, address, and phone number of applicant here.)